

By: Romero, Jr., Capriglione

H.B. No. 53

Substitute the following for H.B. No. 53:

By: Gutierrez

C.S.H.B. No. 53

A BILL TO BE ENTITLED

1

AN ACT

2 relating to certain limitations on settlement agreements with a
3 governmental unit.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Title 5, Civil Practice and Remedies Code, is
6 amended by adding Chapter 116 to read as follows:

7 CHAPTER 116. SETTLEMENT OF CLAIM OR ACTION AGAINST GOVERNMENTAL
8 UNIT

9 Sec. 116.001. DEFINITION. In this chapter, "governmental
10 unit" has the meaning assigned by Section 101.001.

11 Sec. 116.002. CERTAIN SETTLEMENT TERMS PROHIBITED. (a) A
12 governmental unit may not enter into a settlement of a claim or
13 action against the governmental unit in which:

14 (1) the amount of the settlement is equal to or greater
15 than \$30,000; and

16 (2) a condition of the settlement requires a party
17 seeking affirmative relief against the governmental unit to agree
18 not to disclose any fact, allegation, evidence, or other matter to
19 any other person, including a journalist or other member of the
20 media.

21 (b) A settlement agreement provision entered into in
22 violation of Subsection (a) is void and unenforceable.

23 Sec. 116.003. EFFECT OF CHAPTER. This chapter does not
24 affect information that is privileged or confidential under other

1 law.

2 SECTION 2. The change in law made by this Act applies only
3 with respect to a claim or action that is based on a cause of action
4 that accrues on or after the effective date of this Act.

5 SECTION 3. This Act takes effect September 1, 2017.